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5
UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

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8 Roy and Josie Fisher, et al.,

9 Plaintiffs,

10 v.

11 United States of America,

12 Plaintiff-Intervenor,

13 v.

14 Anita Lohr, et al.,

15 Defendants,

16 and

17 Sidney L. Sutton, et al.,

18 Defendants-Intervenors,
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CV 74-90 TUC DCB
(Lead Case)

20 Maria Mendoza, et al.,

21 Plaintiffs,

22 United States of America,

23 Plaintiff-Intervenor,

24 v.

25 Tucson Unified School District No. One, et al.,

26 Defendants.

CV 74-204 TUC DCB
(Consolidated Case)

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1 **RECOMMENDATION OF SPECIAL MASTER TO DEFER ACTION**

2 After careful consideration of the breadth of the Mendoza objections, joined by the Fisher
3 plaintiffs, to the District's bid for partial unitary status, any responsible response to the Mendoza
4 plaintiffs would require the Special Master to essentially review the activity of the District on
5 virtually all of the requirements of the USP. Such a review is premature.

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7 The Special Master therefore recommends that the Court defer action on the District's
8 proposals for partial unitary status without prejudice. This recommendation should not imply that
9 the District has failed to meet the criteria for partial unitary status with respect to transportation,
10 extracurricular activities, family and community engagement, facilities, technology, or the
11 evidence based accountability system.

12 Respectfully submitted,

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14 _____
15 /s/
16 Willis D. Hawley
17 Special Master

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19 Dated: May 11, 2017
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CERTIFICATE OF SERVICE

I hereby certify that on, May 11, 2017, I electronically submitted the foregoing

RECOMMENDATION OF SPECIAL MASTER TO DEFER ACTION for filing and transmittal of a

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